

REMARKS

This Amendment is being filed in response to the Office Action dated February 13, 2008. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-15 are currently pending in the Application. Claims 1 and 8 are independent claims.

Claims 1, 3 and 7 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,317,550 (Sembra). Claims 2, 4-6 and 8-15 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Sembra in view of U.S. Patent No. 6,229,773 (Chou). These rejections are respectfully traversed. It is respectfully submitted that these claims are patentable over Sembra alone and in view of Chou for at least the following reasons.

Sembra discloses a track access apparatus. It is alleged in the Office Action that Col. 4, lines 25-40 discloses "detecting at least one of a substantial deceleration or acceleration and stop of the sledge when moving radially; by detecting a radial displacement of said platform with respect to said sledge" (see, Office Action, page 2, paragraph 4). This position is respectfully refuted. In fact, Sembra does not detect the radial displacement of the platform

with respect to the sledge. In fact, Sembra utilizes a "[r]eference drive signal 90 [that] is supplied to an integrator 40 and converted into a signal 92 indicating the reference velocity of beam spot 22 relative to optical disk 10" (see, Sembra, FIG. 1 and Col. 5, lines 44-46) for controlling the sledge and fine actuator 28.

Accordingly, it is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Sembra alone and in view of Chou. For example, Sembra alone and in view of Chou does not disclose or suggest a method that amongst other patentable elements, comprises (illustrative emphasis provided) :

"detecting at least one of a substantial deceleration, acceleration and stop of the sledge when moving radially by detecting a radial displacement of said platform with respect to said sledge; and

controlling the sledge based upon the detecting acts"

as recited in claim 1 and as substantially recited in claim 8. Chou is cited for allegedly showing other elements of the claims and as such, does nothing to cure the deficiencies in Sembra.

Based on the foregoing, the Applicant respectfully submits that independent claims 1 and 8 are patentable over Sembra alone and in view of Chou and notice to this effect is earnestly solicited.

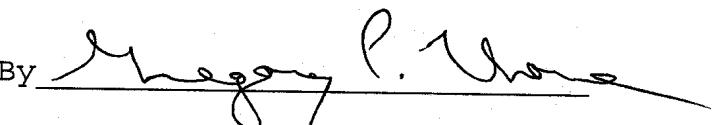
Claims 2-7 and 9-15 respectively depend from one of claims 1 and 8 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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